

109TH CONGRESS
2D SESSION

S. 2693

To prevent congressional reapportionment distortions.

IN THE SENATE OF THE UNITED STATES

MAY 2, 2006

Mr. BURNS introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To prevent congressional reapportionment distortions.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Fair and Accurate
5 Representation Act of 2006”.

6 **SEC. 2. PREVENTION OF CONGRESSIONAL REAPPORTION-**
7 **MENT DISTORTIONS.**

8 (a) FINDINGS.—Congress finds that—

9 (1) in recent years, millions of aliens have en-
10 tered the United States in violation of immigration
11 laws and are now residing illegally in the United
12 States and are subject to deportation;

1 (2) the established policy of the Bureau of the
2 Census is to make a concerted effort to count the
3 foreign born population within the United States
4 without making a separate computation for illegal
5 aliens; and

6 (3) by including the millions of illegal aliens in
7 the reapportionment base for the House of Rep-
8 resentatives, many States will lose congressional rep-
9 resentation which such States would not have other-
10 wise lost, thereby violating the constitutional prin-
11 ciple of “one man, one vote”.

12 (b) ADJUSTMENTS TO PREVENT DISTORTIONS.—
13 Section 141 of title 13, United States Code, is amended—

14 (1) by redesignating subsection (g) as sub-
15 section (h); and

16 (2) by inserting after subsection (f) the fol-
17 lowing:

18 “(g) The Secretary shall make such adjustments in
19 total population figures as may be necessary, using such
20 methods and procedures as the Secretary determines fea-
21 sible and appropriate, in order that aliens who are in the
22 United States in violation of the immigration laws of the
23 United States are not counted in tabulating population
24 under subsection (b) for the purposes of apportionment
25 of Representatives in Congress among the several States.

1 Nothing in this subsection shall be construed to supersede
2 section 195 of this title.”.

3 (c) CONFORMING AMENDMENT.—Section 22(a) of
4 the Act entitled “An Act To provide for the fifteenth and
5 subsequent decennial censuses and to provide for appor-
6 tionment of Representatives in Congress”, of June 18,
7 1929 (2 U.S.C. 2a(a)), is amended by striking “as
8 ascertained under the seventeenth and each subsequent
9 decennial census of the population” and inserting “as
10 ascertained and reported under section 141 of title 13,
11 United States Code, for each decennial census of popu-
12 lation”.

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